

Amendment Under 37 C.F.R. § 1.111
USSN 09/611,230
Attorney Docket Q59991
September 16, 2004

REMARKS

Claims 12-22 are all the claims pending in the application.

In the last Office Action Claims 17-19 and 22 were objected to because of informalities. Claims 14, 16 and 17-22 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 12-16 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Engle et al. in view of Fujioka et al. Claims 17 and 19 were rejected as being unpatentable over Engle et al. and Fujioka et al. and further in view of Hsien et al. Claims 18 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Engle et al. in view of Fujioka et al. and Hsein et al. and further in view of GB-2312260. Claim 20 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Engle et al. in view of Fujioka et al. and further in view of Hsein et al. and Larsen.

Claims 14, 16, 17, 18, 20 and 22 have been amended to correct the informalities and to overcome the rejection under 35 U.S.C. § 112, second paragraph.

It is submitted that Claim 21 is not indefinite since the phrase "a plurality of carriages" in line 2 and "a single transmission line" in lines 2 and 3 are different from the corresponding terms claimed in Claim 12.

With respect to the rejection of all the claims as being unpatentable over Engle et al. in view of Fujioka et al. taken by themselves or in combination with the other references Hsein et al., GB-2312260 and Larsen, it is submitted that the basic combination of Engle et al. in view of Fujioka et al. would not be the least bit obvious to one skilled in the art. The Examiner is still

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taking the position that Engle et al. discloses a plurality of slave control units each of which is installed upon a respective carriage or wagon and is connected in the respective carriage or wagon via intervening elements to both transmission lines. The elements relied upon by the Examiner in Engle et al. are not slave control units but are sensors for detection devices as specifically set forth in column 4, lines 59 and 60 and do not control anything whatsoever. The distinction between a main or master control unit and a slave control unit is quite clear and of general use in the electronics and control fields to indicate control units of different hierarchical levels. A slave control unit is control unit subordinate to the controls issued from another control unit belonging to a higher hierarchical level. A slave control unit remains a slave control unit, that is a unit adapted to issue controls and commands to one or more control devices. The elements of Engle are clearly controlled units and do not in any way exert controls at the direction of main control units. Thus, it would not be the least bit obvious or productive in view of the teachings of Engle et al. to combine the teachings of Fujioka et al. with Engle et al. Furthermore, the braking as described in the Engle et al. patent is so entirely different from of the Fujioka et al. patent that the picking of a single feature of Fujioka and transplanting it into the system of Engle would not be the least bit obvious in view to one skilled in the art. The shortcomings with respect to the basic combination of references as applied to Claims 12-16 and 21 also apply to the rejection of the remaining claims which rely on additional references.

In the rejection of Claims 17-20 and 22, the patent to Hsein et al. is also relied upon in combination with Engle et al. and Fujioka et al.

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With reference to Hsein et al., it is noted that it relates to a technical field (traffic light control apparatus) which is totally different from the technical field to which the present invention pertains. Furthermore, in the traffic light control system of Hsein et al. between each light device 21'-24' and the main control device 10 there are provided two bifilar transmission lines connected in parallel to each other. Each forming a closed loop or ring-shaped loop. The two ring-shaped lines in the operation perform both exactly the same functions. That is they attend to the supply of electric power and the transmission of information signals. If one of the lines is broken during road work then the other one assures the continuation of the provision of the functions. Thus, the control system of Hsein et al. is simply a standard, duplicated (redundant) system. One skilled in the art of control and communication systems installed on railway trains would not even consider the teachings of Hsein et al. in view of the different nature of the problem. Thus, it would not be the least bit obvious to combine the patent to Hsein et al. with the Engle et al. and Fujioka et al. patents. The question of obviousness for combining patents cannot be supported by relying on the teachings of the present application.

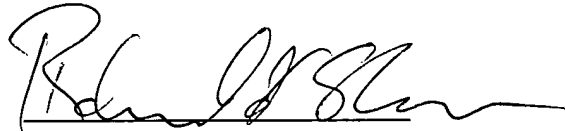
In summary, it is submitted that Claims 12-22 inclusive are now in proper form and would not be the least bit obvious in view of the references applied in the last Office Action. Therefore, it is respectfully requested that Claims 12-22 inclusive be allowed and the application passed to issue forthwith.

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If for any reason the Examiner is unable to allow the application on the next Office Action and feels that an interview would be helpful to resolve any remaining issue, the Examiner is respectfully requested to contact the undersigned attorney for the purpose of arranging such an interview.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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